

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:10cv84**

<b>DELLA MODE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>ORDER</b>
	)	
<b>DOLGENCORP, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the court on plaintiff's Motion to Stay Discovery and Other Pretrial motions Pending Ruling From Multi-District Litigation Panel. A response to such motion has been filed and a reply is due to be filed not later than June 11, 2010.

As the parties may have gathered from recent ECF notifications, the Western District has internally transferred the 13 Dollar General cases to one district judge and one magistrate judge to further efficient use of court resources. The undersigned has read plaintiff's motion and defendant's response. While the court awaits plaintiff's Reply, it has determined from reading all the pleadings now of record that a hearing will be necessary to address the following issues:

- (1) disposition of plaintiff's motion;

- (2) consideration of administrative consolidation of these 13 cases pending trial;
- (3) entry of a Pretrial Order either in each case or in a consolidated action;
- (4) discussion of the requirements of mediation;
- (5) discussion of what discovery remains to be taken;
- (6) setting a dispositive motions deadline; and
- (7) setting a firm trial date.

So as not to catch any party off guard, all counsel are advised that the district judge to whom this case is assigned has very specific expectations as to civil case management, which includes the prompt disposition of all civil cases. While the court will not decide the Motion to Stay until it reads the Reply and hears from counsel at the hearing, respective counsel are advised to come to the hearing prepared to discuss the above topics. Counsel should meet in advance of the hearing and decide on a mediator as well as reach agreement as to a suggested Pretrial Order.

The parties are advised that the court is particularly concerned with waste of scarce judicial resources in processing what apparently are identical motions and the entry of identical orders. Equally, the court is concerned with wasting the resources of the parties, inasmuch as it appears that identical motions, briefs, and extensive exhibits (143 pages) have been filed in all 13 cases.

## ORDER

**IT IS, THEREFORE, ORDERED** that plaintiff's Motion to Stay Discovery and Other Pretrial Motions Pending Ruling From Multi-District Litigation Panel , as well as the above listed issues, are **CALENDARED** for hearing and an Initial Pretrial Conference on Tuesday, June 22, 2010, at 10 a.m. in Courtroom #2 in Asheville, North Carolina. Attendance by lead and local counsel is, respectfully, required.

Signed: June 2, 2010

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Dennis L. Howell  
United States Magistrate Judge

